UNITED
NATIONS

A S

General Assembly Security Council

Distr.
GENERAL

A/47/808
S/24986
18 December 1992

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 140
COORDINATION OF THE ACTIVITIES
OF THE UNITED NATIONS AND
THE CONFERENCE ON SECURITY
AND COOPERATION IN EUROPE

SECURITY COUNCIL
Forty-seventh year

Letter dated 18 December 1992 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

I have the honour, on behalf of the Chairman-in-Office of the Council of the Conference on Security and Cooperation in Europe, Her Excellency Ms. Margaretha af Ugglas, Minister for Foreign Affairs of Sweden, to enclose the text of the Summary of Conclusions, the Decisions and annexes of the Third Meeting of the Council of CSCE, held at Stockholm on 14 and 15 December 1992 (see annex).

I should be grateful if you would arrange for it to be circulated as a document of the General Assembly, under agenda item 140, and of the Security Council.

(Signed) Peter OSVALD
Permanent Representative of
Sweden to the United Nations

ANNEX

Summary of Conclusions, the Decisions and annexes of the Third Meeting of the Council of the Conference on Security and Cooperation in Europe, held at Stockholm on 14 and 15 December 1992

I. SUMMARY OF CONCLUSIONS OF THE STOCKHOLM COUNCIL MEETING

Shaping a New Europe - the Role of the CSCE

The CSCE Council held its Third Meeting in Stockholm on 14-15 December 1992.

The Ministers consulted on a broad range of issues, in particular the aggression in Bosnia-Herzegovina and Croatia, the crisis in parts of the former Yugoslavia, other regional crises and issues together with the strategy and structure of the CSCE.

In the light of serious threats to peace and security in the CSCE area the Ministers agreed to pursue a strategy of active diplomacy. They will provide the necessary resources.

The Ministers expressed their continuing commitment to use the CSCE to consolidate human rights, democracy, the rule of law and economic freedom as the foundation for peace, security and stability and to prevent, manage and solve conflicts in the CSCE area.

The Ministers condemned the extended use of force in Europe which has bred ever more violence and hatred. They strongly rejected continuing flagrant violations of human rights. They committed themselves to act to counter the growing manifestations of racism, anti-semitism and all forms of intolerance in the CSCE area.

The Ministers agreed to improve co-operation with relevant international organizations. They decided, in particular, to increase co-ordination with the United Nations.

Important aspects of the CSCE strategy include:

- Strengthening the CSCE's operational capabilities through structural reforms and the appointment of a Secretary General;

- Emphasizing the CSCE's ability to provide early warning through the appointment of a High Commissioner on National Minorities who will enjoy the full political support of all participating States;

- Active use of missions and representatives as part of preventive diplomacy to promote dialogue, stability and provide for early warning;

- Enhancing opportunities for the peaceful settlement of disputes through the approval of a comprehensive set of measures to this end. The Ministers stressed their expectations that participating States will avail themselves increasingly of these mechanisms;

- Effective use of missions and representatives in crisis areas as part of a strategy of consultation, negotiation and concerted action to limit conflicts before they become violent;

- Co-operating, as appropriate, with international organizations and with individual participating States to ensure that the broad spectrum of CSCE mechanisms and procedures, including peacekeeping, can be applied;

- Increased efforts at treating the root causes of conflicts by applying all aspects of the human dimension of the CSCE and by involving non-governmental organizations and individual citizens more directly in the work of the CSCE;

- Making all governments accountable to each other for their behaviour towards their citizens and towards neighbouring States and holding individuals personally accountable for war crimes and acts in violation of international humanitarian law;

- Greater use of the Forum for Security Co-operation as a place for negotiation and dialogue which can ensure continued progress in reducing the risks of military conflict and enhancing stability in Europe;

- An active programme to help newly-admitted participating States to participate fully in the structures and work of the CSCE.

II. DECISIONS

1. Regional issues

Former Yugoslavia

1. The CSCE has given early and special attention to the tragic conflict in the former Yugoslavia which has led to all-out war and immense human suffering and which poses a growing threat to peace in the region.

2. Primary responsibility for the conflict lies with the present leaders of Serbia and Montenegro and with the Serbian forces operating in Bosnia-Herzegovina. In defiance of all efforts by the entire international community, these authorities continue to pursue territorial gain through the use of force and to violate basic human standards through the odious practice of "ethnic cleansing", and other brutalities affecting many parts of the former Yugoslavia. All this must stop immediately.

3. The Ministers expressed their collective and individual determination to pursue all efforts to restore peace in former Yugoslavia. They did so on the basis of the special moral and political authority represented by the principles and commitments of the CSCE. They presented the leaders of Serbia and Montenegro with a clear choice. If there is a radical change of their policy towards their neighbours and their own people and genuine co-operation in the peace process, Serbia will be gradually readmitted to the international community; if, on the other hand, the Belgrade regime continues its present policies, the international community will take sterner action to ensure compliance with the relevant United Nations Security Council resolutions and the decisions of the International Conference on Former Yugoslavia.

4. The Ministers are using the means available to the CSCE to contribute to international efforts to end the fighting and prevent spillover of the conflict. They are working towards several immediate objectives:

- An end to systematic aggression in Bosnia-Herzegovina and Croatia, exemplified by recent stepped-up attacks against Sarajevo and other cities and villages in other parts of Bosnia-Herzegovina by Serb forces,

and the prevention of a further expansion of the conflict to other areas of the former Yugoslavia and to countries neighbouring on Serbia and Montenegro.

- Cessation of violations of human rights and international humanitarian law, specifically the policy of "ethnic cleansing" in particular in Bosnia-Herzegovina as well as in Kosovo, Sandjak and Vojvodina and the systematic rape of Muslim women, and steps to ensure prosecution of those personally accountable.

- Expansion of humanitarian assistance to ease current suffering and measures to assure its rapid delivery to those most in need.

- An end to the systematic destruction of mosques, Catholic churches, synagogues and other religious monuments as well as other sites of cultural heritage in areas under Serbian control.

- A negotiated political settlement to the current conflict that preserves the integrity of Bosnia-Herzegovina, denies any gain through the seizure of territory by force and provides for the safe return of refugees and displaced persons to their homes.

- Effective fulfilment of the UNPROFOR mandate in the UNPA zones in Croatia and full implementation of the Vance Plan.

5. The Ministers requested the Chairman-in-Office, assisted by the Troika, to report to the Steering Committee of the International Conference on Former Yugoslavia on 16 December 1992, and to work to ensure closer co-ordination between the CSCE and the ICFY.

6. They requested her, assisted by the Troika, to travel to Belgrade prior to the elections on 20 December 1992 to underline to Serbian authorities the stark fate and the increased penalties with which they will be faced. She is requested also to visit as soon as possible CSCE missions in former Yugoslavia to highlight their importance and enhanced role.

7. The war in Bosnia-Herzegovina must stop. The sovereignty and territorial integrity of that country must be respected. The war must not be allowed to spread into other parts of the former Yugoslavia. This would have even more serious implications for the region.

8. The Ministers stressed the importance of the work of the CSCE missions of long duration in Kosovo, Sandjak and Vojvodina. They expressed their satisfaction with the work of the CSCE Spillover Mission to the former Yugoslav Republic of Macedonia, established in the Republic with the full co-operation of its governmental authorities, further to the initiative of the CSCE. They are determined to give all necessary support to these efforts. The CSCE presence there should be maintained and expanded; the missions should increasingly focus on helping to resolve specific local differences. In particular, the Ministers agreed to increase substantially the size of the missions of long duration, with particular emphasis on Kosovo, and to take necessary steps accordingly. They undertook to contribute urgently to these missions.

9. The Ministers, referring to the calls from some States for the United Nations to consider lifting the arms embargo against the Government of Bosnia-Herzegovina, recalled United Nations Security Council resolution 713 and recommended that this issue should continue to be considered as a matter of importance in the United Nations Security Council.

10. The Ministers welcomed the decision of the United Nations Security Council to place peacekeeping forces on the borders of the former Yugoslav Republic of Macedonia with Albania and Serbia and Montenegro. The present active role of the CSCE in seeking to prevent the spillover of conflict and tension will be substantially reinforced.

11. They supported the efforts of those political forces in Serbia that are striving to bring about full co-operation with the peace process. The Office for Democratic Institutions and Human Rights will assist participating States in the monitoring of the elections in Yugoslavia (Serbia and Montenegro). The participating States will draw the appropriate conclusions if the present authorities do not follow fair and just procedures.

12. All CSCE participating States committed themselves to scrupulous implementation of all United Nations Security Council resolutions on sanctions against Serbia-Montenegro. The Ministers recognized that countries of the region should not bear alone the unintended negative consequences of United Nations sanctions against Serbia-Montenegro. They urged the competent international organizations to provide appropriate financial and technical assistance to those countries in order to diminish the adverse effect. Efforts of the Government of Serbia-Montenegro to circumvent the sanctions need to be combated. They approved the deployment of Sanctions Assistance Missions to all States neighbouring Serbia and Montenegro and the expansion of their size. They welcomed the co-operation extended to the missions and called on participating States to provide technical assistance on enforcing sanctions to host countries. The mandate of the missions was extended for a further six months from 1 January 1993.

13. The Ministers reiterated their horror and dismay at the massive and systematic violations of human rights and international humanitarian law in the territory of the Republic of Bosnia-Herzegovina and other parts of the former Yugoslavia. They supported United Nations Security Council resolutions 780 (1992) and 787 (1992) which emphasize that those responsible for such crimes will be held personally accountable. They are determined to implement these resolutions and to see to it that those responsible are brought to justice and asked the Chairman-in-Office to consult on this issue with the United Nations, especially the International Law Commission, and with the Co-Chairmen of the ICFY.

14. The Ministers welcomed the offer of the rapporteurs on Croatia and Bosnia-Herzegovina under the Moscow Human Dimension Mechanism to refine their proposals on making the principle of personal accountability effective including the possibility of the establishment of an ad hoc tribunal, and to do so through continuing consultations with the Commission of Experts established pursuant to Security Council resolution 780 (1992).

15. The Ministers strongly supported the ICFY process and the efforts of the Co-Chairmen; they would like to see early results. They endorsed the constitutional arrangements for Bosnia-Herzegovina proposed by the Co-Chairmen in Geneva on 27 October 1992 as a basis for agreement. They hoped that at the meeting on 16 December 1992, participants will discuss the measures necessary to intensify pressure on the Serbian side in order to end the bloodshed. They called on all parties to negotiate constructively on a Bosnian constitution, as well as on the other problems under relevant working groups of the Geneva Conference, including the future status of Kosovo. Safeguards for the rights of national minorities within Serbia, including autonomy where appropriate, must be ensured.

16. The Ministers demanded full compliance by all parties with United Nations Security Council resolutions and with all decisions of the ICFY. Observers should be placed on the border of Bosnia-Herzegovina and Serbia and Montenegro without further delay. In view of the many violations of the no-fly-zone, they believed that the Security Council should urgently consider taking the relevant decisions in the light of paragraph 6 of resolution 786.

17. The human rights and fundamental freedoms of the inhabitants of Kosovo must be respected. The Ministers called upon all parties, notably the Serbian authorities, to show the necessary restraint. They believed that a United Nations presence in Kosovo would be a positive step.

18. The Ministers paid tribute to UNHCR, ICRC and UNPROFOR and agreed to do more to ease suffering. They endorsed efforts under United Nations Security Council resolution 787 to ensure the safe delivery of humanitarian assistance, including the use of military means. They called on all parties to allow convoys safe passage, noting that interference in humanitarian relief missions is an international crime for which the individuals responsible will be held personally accountable. They called for the urgent opening of the airports at Tuzla and Bihac in Bosnia-Herzegovina for the receipt of humanitarian aid. Given the importance of the work being undertaken by UNPROFOR II, they called on all CSCE participating States to support fully a broader financial burden-sharing.

19. More action is needed to provide safety and protection to the civilian population through the development of safe areas and the provision of refuge for particularly vulnerable categories of refugees. The Ministers were concerned by the increasing problem of refugees and displaced persons and called upon all participating States to do more to share economic and other burdens of States receiving refugees.

The Baltic States

The Ministers reviewed the implementation of paragraph 15 of the Helsinki Summit Declaration 1992.

Notwithstanding certain progress achieved, they expressed their concern that relevant agreements on the early, orderly and complete withdrawal of foreign troops from the territories of the Baltic States have yet to be concluded, and noted that the withdrawal of these troops should take place in full accordance with the basic principles of international law.

The CSCE will remain engaged therefore in the implementation of these provisions.

To that end, the Baltic States and the Russian Federation undertake regularly to submit information to relevant CSCE bodies about the implementation of paragraph 15 of the Helsinki Summit Declaration 1992, necessary for further review of this issue.

Moldova

The Ministers welcomed the easing of tension in the Left-Bank Dniester Areas of the Republic of Moldova, noting at the same time that a final political settlement of the conflict should be reached in order to establish durable peace in the region.

The Ministers noted with appreciation the activities of the Personal Representative of the Chairman-in-Office of the CSCE Council on the conflict

in the Left-Bank Dniester Areas of the Republic of Moldova. They took note also of the interest of all parties involved in a CSCE role in efforts to settle the conflict. They requested all parties to the conflict to co-operate closely with the Personal Representative of the Chairman-in-Office. They called for the soonest possible conclusion of the work of the Personal Representative. They expected the final report and recommendations to be available at the next session of the CSO with a view to further CSCE involvement.

In this context, the Ministers expressed support for efforts to remove, in a peaceful manner and through negotiations, the problems that remain from the past, such as the stationing of foreign armed forces on the territory of the Republic of Moldova. They called on the participating States concerned to conclude, without delay, an appropriate bilateral agreement on the status and the early, orderly and complete withdrawal of foreign troops.

Georgia

1. The Ministers reiterated their commitment to support the stabilization of the situation within Georgia and the development of democracy and a market economy, which would create favourable conditions for the peaceful resolution of the conflict. In this context they welcomed the progress of democracy with the election of a legitimate government and hoped that the election process would soon be completed in a satisfactory manner.

2. The Ministers were pleased to note that the cease-fire between Georgians and Ossetians in the area of conflict continued to hold. They were concerned however that no progress had been made towards a political settlement of this dispute. They welcomed the establishment of a visible CSCE presence in the area. They were pleased that first contacts had been established with representatives of both conflicting parties, the trilateral peacekeeping forces and local military commanders. They likewise called upon the parties to co-operate fully with the Personal Representative of the Chairman-in-Office in his efforts to establish the framework for a peaceful and lasting solution, as stipulated by the provisions of the Sochi Agreement of 24 June 1992.

3. The Ministers remained deeply concerned at the recent upsurge in fighting in Abkhazia and at reports of heavy loss of life and lack of discipline and moderation among the armed forces of the protagonists. They urged all parties to the dispute in Abkhazia to renew their efforts to find a peaceful settlement in conformity with CSCE principles and the Charter of the United Nations, based on the provisions of the Moscow agreement of 3 September 1992. They requested the parties to co-operate with the CSCE Mission, led by Ambassador Gyarmati, whose mandate included establishing a framework for political negotiations.

4. They requested the Chairman-in-Office and the Personal Representative of the Chairman-in-Office in Georgia to work out, in co-operation with the United Nations, practical modalities for co-ordination of efforts in order to ensure maximum efficiency through a rational division of labour. The participating States will be kept informed.

Conflict dealt with by the Conference on Nagorno-Karabakh

The Ministers asked the Chairman of the CSCE Conference on Nagorno-Karabakh, Hon. Mario Raffaelli, and the "Minsk Group" to continue their tireless efforts to advance the peace process.

The Republic of Tajikistan

The Ministers expressed their deep concern about the crisis situation in the Republic of Tajikistan.

They urged all the conflicting parties to cease fighting and to start a constructive dialogue which is the only basis for a political settlement in Tajikistan.

They encouraged participating States to contribute to humanitarian efforts in Tajikistan, especially in light of that country's refugee crisis.

The Ministers noted the peace-making efforts of Russia, Kazakhstan, Kyrgyzstan and Uzbekistan aimed at the ending of bloodshed and promotion of the negotiation process.

The Ministers considered that this issue should be studied by the CSO on a priority basis, bearing in mind the need for close co-operation with the efforts of the United Nations.

2. The CSCE as a Community of Values

The CSCE's comprehensive concept of security relates peace, security and prosperity directly to the observance of human rights and democratic freedoms. Many of the present problems are linked to the failure to observe CSCE commitments and principles.

The human dimension mechanisms of the CSCE are being used increasingly as a major foundation for the CSCE's efforts at early warning and conflict prevention. Their further elaboration and utilization will strengthen considerably the CSCE's ability to pursue the root causes of tensions and to refine its mechanisms for early warning on potentially dangerous situations.

The Ministers welcomed the strengthened role of the Office for Democratic Institutions and Human Rights and the appointment of the High Commissioner on National Minorities as especially useful steps towards integrating the human dimension more fully into the political consultations and concerted action of the participating States. They also decided to consider ways of using the 1993 Implementation Meeting on Human Dimension Issues to investigate possible new means of utilizing human rights mechanisms for these purposes. They expressed the hope that newly-admitted participating States would make particular use of the opportunities provided by these institutions.

Compliance with CSCE commitments is of fundamental importance. Monitoring of compliance provides governments of participating States with crucial information on which they can formulate policy. The Implementation Meeting on Human Dimension Issues to be held in 1993 offers an opportunity to improve the monitoring of compliance with Human Dimension commitments.

The Ministers expressed their profound concern at the recent manifestations of aggressive nationalism, xenophobia, anti-semitism, racism and other violations of human rights. Violations of international

humanitarian law and CSCE principles and commitments, such as "ethnic cleansing", or mass deportation, endangered the maintenance of peace, security and democracy and will not be tolerated. They were convinced that increased attention should be paid by the CSCE, and in particular by the Committee of Senior Officials and the High Commissioner on National Minorities, to these threats to human rights and fundamental freedoms. The CSO will report on this issue to the Council of Ministers at its next session, when the Council will consider developments.

The Ministers also stressed the important role the Human Dimension of the CSCE should play in longer-term conflict prevention. They underlined the need for positive action aimed at fostering understanding, tolerance and national and local preventive action. They emphasized the importance of direct contact between experts, governmental and non-governmental, through the series of Human Dimension seminars successfully begun by the CSCE Seminar on Tolerance and to be followed in 1993 by seminars on national minorities, migration and free media.

The increasing problem of refugees and displaced persons is an issue of major concern to all participating States, particularly in conflicts where the fulfilment of basic human needs is most at risk. The Ministers deplored the plight of civil populations most affected in such conflicts and called on all participating States to contribute to a concerted effort to share the common burden. All Governments are accountable to each other for their behaviour towards their citizens and towards their neighbours. Individuals are to be held personally accountable for war crimes and acts in violation of international humanitarian law.

The Ministers welcomed the rapid convening of the Human Dimension Seminar on Migration as an important contribution to pursuing better understanding of the underlying causes of uncontrolled migration. Another important step towards furthering implementation of existing human rights standards, including CSCE principles and commitments, will be the United Nations Conference on Human Rights, to be held in Vienna in June 1993. The Ministers expressed their support for the Conference and asked the Chairman-in-Office to represent them there.

The CSCE will continue to give political stimulus to the development of market economies by facilitating, through the March 1993 meeting of the Economic Forum, dialogue and co-operation among participating States and international organizations. The Ministers expressed the view that the Forum's initial meeting would continue the process of co-operation on these issues within the CSCE.

3. High Commissioner on National Minorities

The Council appointed Mr. Max van der Stoel as CSCE High Commissioner on National Minorities (HCNM) to strengthen the CSCE's capacity for early warning and preventive diplomacy. The High Commissioner will act within the mandate laid down in the Helsinki Document. The Ministers expressed their support for the High Commissioner and their readiness to co-operate with him in the execution of his complex but crucial task of identifying and containing at the earliest possible stage tensions involving national minority issues which have the potential to develop into a conflict within the CSCE area.

The Ministers encouraged the High Commissioner to analyse carefully potential areas of tension, to visit any participating State and to undertake wide-ranging discussions at all levels with parties directly involved in the issues. In this context, the High Commissioner may discuss the questions with the parties and, where appropriate, promote dialogue, confidence and co-operation between them at all levels, to enhance political solutions in line with CSCE principles and commitments.

The Ministers undertook to provide the High Commissioner with relevant information at their disposal on national minority issues, fully respecting the independence of the High Commissioner in accordance with the mandate.

4. Peaceful Settlement of Disputes

The Ministers considered the recommendations made by the CSCE Meeting on Peaceful Settlement of Disputes held in Geneva from 12 to 23 October 1992.

The Ministers reaffirmed the vital importance of the commitment of all participating States, under Principle V of the Helsinki Final Act, to settle their disputes by peaceful means. In this connection, they recalled other CSCE documents relating to the peaceful settlement of disputes, in particular the Concluding Document of the Vienna Follow-up Meeting, the Charter of Paris for a New Europe, the Report on Peaceful Settlement of Disputes adopted at Valletta and endorsed at the Berlin Meeting of 19 and 20 June 1991, and the Helsinki Document 1992.

The Ministers noted the variety of existing dispute settlement procedures, both within and outside the CSCE. They recalled the important contribution that the potential involvement of an impartial third party can make to the peaceful settlement of disputes and the fact that the Valletta Mechanism enables a participating State, under certain conditions, to seek the mandatory involvement of such a party.

The Ministers agreed that in the present circumstances, the principle of the peaceful settlement of disputes assumes particular relevance to problems facing participating States, and that the framework of the CSCE provides a unique opportunity to give impetus to this central aspect of CSCE commitments.

In order to further and strengthen their commitment to settle disputes exclusively by peaceful means, and in accordance with paragraphs (57) to (62) of Chapter III of the Helsinki Decisions of 1992 to develop a comprehensive and coherent set of measures available within the CSCE for the peaceful settlement of disputes, the Ministers have:

(a) Adopted measures to enhance the Valletta Provisions through modification of the procedure for selecting Dispute Settlement Mechanisms;

(b) Adopted the text of a Convention on Conciliation and Arbitration within the CSCE providing for general conciliation and for arbitration on the basis of agreements ad hoc or, in advance, on the basis of reciprocal declarations, and declared it open for signature by interested participating States;

(c) Adopted a conciliation procedure as an option available to participating States on the basis of agreements ad hoc or, in advance, on the basis of reciprocal declarations;

(d) Decided that the Council or the Committee of Senior Officials of the CSCE may direct any two participating States to seek conciliation to assist them in resolving a dispute that they have not been able to settle within a reasonable period of time and adopted provisions related thereto.

The Ministers recalled that nothing stated in the foregoing will in any way affect the unity of the CSCE principles, or the right of participating States to raise within the CSCE process any issue relating to the implementation of any CSCE commitment concerning the principle of the peaceful settlement of disputes, or relating to any other CSCE commitment or provision.

Procedures for the peaceful settlement of disputes within the CSCE will be reviewed during the review conference to be held at Budapest in 1994 and periodically thereafter as appropriate.

5. The CSCE Forum for Security Co-operation and Non-Proliferation

The Ministers welcomed the constructive work begun in the CSCE Forum for Security Co-operation. They stressed the importance of the contribution to security made by dialogue and negotiations in the Forum and their expectation that further significant progress on the Programme for Immediate Action adopted by the Helsinki Summit should be achieved by the next Meeting of the Council of Ministers. They reaffirmed the importance of full implementation of existing arms control, disarmament and confidence- and security-building provisions agreed within the framework of the CSCE, by all States concerned, including those recently admitted.

Resolved to fully implement the Declaration of the CSCE Council on Non-Proliferation and Arms Transfers adopted at the Prague Council Meeting 30-31 January 1992 and fully committed to CSCE co-operation in respect of non-proliferation, the Ministers agreed as a first step that their States will become original signatories to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, which will be opened for signature in Paris on 13 January 1993. They also agreed to seek its timely ratification in order for it to enter into force at the earliest date provided for by the Convention. To this end they call upon all other States to sign and ratify the Convention as soon as possible.

They expressed their satisfaction that the Ministers of participating States not yet Parties to the Convention on Bacteriological (Biological) and Toxin Weapons declared that their States intend to become Parties to that Convention as well as to the 1925 Geneva Protocol on the prohibition of the use in war of chemical and biological weapons.

They welcomed that the Ministers of those participating States that are not Parties to the Treaty on the Non-Proliferation of Nuclear Weapons pledged that their States intend to become Parties to that Treaty as non-nuclear-weapon States in the shortest time possible. Furthermore, they agreed that the Treaty should be extended indefinitely and urged all States that have not yet done so to become Parties to the Treaty.

6. Preventive diplomacy and peacekeeping

Consistent with the concept of preventive diplomacy, and while no conflict exists in Estonia, the CSCE is sending a mission to the country, to promote stability and dialogue between the Estonian- and Russian-speaking communities in Estonia.

The Ministers discussed the conflicts that have arisen within the CSCE area, including those in the former Soviet Union, and stressed that they should be resolved by peaceful means.

They reviewed experience with the instruments for early warning, conflict prevention and crisis management, in particular in the field of preventive diplomacy. They noted that, in association with efforts to bring about political solutions, stability can be enhanced by armed contingents for peacekeeping purposes. The deployment and conduct of such operations must be in accordance with the norms of international law and CSCE principles.

The Ministers concluded that the CSCE can play an especially important role in co-operation with mutually reinforcing European and transatlantic organizations by further developing relevant CSCE instruments in the field of preventive diplomacy and peacekeeping.

They requested relevant CSCE institutions, in particular the ODIHR and the CPC, to organize seminars to help share experience and increase knowledge of issues and techniques in the fields of early warning and peacekeeping. Furthermore, they requested the CSO to examine the issues involved in enhancing the capability of all the CSCE instruments.

7. Evolution of CSCE structures and institutions

To meet new challenges, the Ministers decided to add further to the improvements in the operational capacity of the CSCE agreed in Paris and Helsinki.

In doing so, they confirmed that the CSCE should retain its flexibility and openness, avoiding the creation of a bureaucracy. Further evolution in CSCE institutions and procedures should be based on the CSCE's democratic rules. It should preserve the strength and diversity afforded by the basic political structure established by the Paris Summit, and should improve the effectiveness of the CSCE's daily work.

Ministers tasked the CSO to conduct a wide-ranging review of CSCE structures and operations with a view to establishing organizational arrangements to meet these needs.

As a first step, Ministers have decided to improve further CSCE operations and institutions by establishing the post of Secretary General of the CSCE (Annex I).

The Ministers also decided to enhance the ability of the CSO to act as their agent and, pending completion of the review mandated above, instructed representatives of the participating States to meet regularly in Vienna in periods between sessions of the CSO. Under the Chairmanship of the Chairman-in-Office, these representatives will conduct consultations on all issues pertinent to the CSCE and undertake preliminary discussion of items suggested for the agenda of the CSO by the Chairman-in-Office. They will decide on matters necessary to ensure prompt and effective implementation of the decisions of the CSO.

To increase the efficiency of the work of the CSCE, the Ministers decided to establish for the Secretariats in Prague and Vienna a single organizational structure under the direction of the Secretary General. The Ministers decided that the CSO should agree the financial and administrative implications of this decision and should adjust staffing, budgets and procedures accordingly.

In implementation of the decision taken by the Heads of Government in Helsinki that the CSO should consider the relevance of an agreement granting an internationally recognized status to the CSCE Secretariat, the Conflict Prevention Centre and the ODIHR, the Ministers instructed the CSO to establish a group of legal and other experts to report through the Committee for decision at the Rome Council Meeting.

The Ministers tasked the Conflict Prevention Centre to take rapid steps to strengthen its ability to provide operational support for CSCE preventive diplomacy missions and peacekeeping activities. The Director of the CPC should present, for approval by the CSO, a proposal setting forth the staffing and budget implications of this decision.

The Ministers emphasized the vital importance of the efficient management of CSCE resources. To this end they instructed the CSO to draw up rules and procedures. They approved the attached Terms of Reference (Annex II). The Ministers will note progress and take decisions, as necessary, at the Rome Council Meeting.

The Ministers noted that cost-efficiency may also be ensured through seeking new sources of financing CSCE activities. As one innovative possibility they requested the Director of the ODIHR to examine the establishment of a Foundation for Promoting Human Rights in the CSCE.

The Ministers noted that the commitments entered into in Helsinki to expand the role of NGOs have already shown their value. They asked the Chairman-in-Office to examine proposals put forward by NGOs on co-operation between NGOs and the CSCE, and, when appropriate, to submit them to the CSO for consideration.

8. Improved co-operation and contacts with international organizations, in particular the United Nations

The new challenges in the CSCE area require improved co-operation and close contacts with relevant international organizations, in accordance with the Helsinki Document. The Ministers expressed their intention to strengthen co-operation in particular with the United Nations.

The CSCE has entered a new phase in its relationship with the United Nations which should be developed further. The Ministers requested the CSO to examine the practical implications of the understanding, expressed in the Helsinki Document, that the CSCE is a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations. In its examination the CSO should also examine the proposal by the United Nations Secretary-General to the CSCE to seek observer status at the United Nations.

The Ministers emphasized that the Chairman-in-Office should keep close contacts with the United Nations in order to promote regular exchanges of information, co-operation and co-ordination and avoid duplication of effort.

They instructed the Chairman-in-Office of the CSO to establish without delay regular contact with the United Nations Secretary-General to ensure that both the United Nations and CSCE participating States are kept informed of relevant activity, especially in the fields of early warning, conflict prevention, management and resolution of conflicts as well as the promotion of democratic values and human rights.

The Ministers decided that a representative of the United Nations Secretary-General will be invited to the meetings of the Council and the Committee of Senior Officials of the CSCE. Furthermore, they decided that the Permanent Mission to the United Nations of the participating State holding the Office of Chairman will serve as a focal point of the CSCE at the United Nations.

9. Integration of new participating States

The Ministers decided to intensify their support in conjunction with other institutions, notably the Council of Europe, for the building of democratic institutions to meet the needs identified by newly admitted participating States. They entrusted the Chairman-in-Office, assisted by the CSCE Troika, to consult with newly admitted participating States on useful steps under the Programme of Co-ordinated Support agreed at Helsinki.

The Chairman-in-Office, accompanied by a team of CSCE experts, will conduct a programme of visits to the newly admitted participating States to discuss the CSCE in all its aspects and to explore means of promoting the full involvement of those States in the work and activities of the CSCE. Experts will continue discussions and make an inventory of possible points for further action including ways of promoting information on the CSCE. The Ministers expressed their support for the expansion of CSCE activities in and visits to these States.

10. Admission of new participating States

The Ministers agreed that the Czech Republic and the Slovak Republic would be welcomed as participating States from 1 January 1993 following receipt of letters accepting CSCE commitments and responsibilities from each of them according to the draft in Annex III.

11. Date and venue of the next Council Meeting

They agreed that the next meeting of the Council will be held in Rome in November/December 1993. They will confirm the specific days for this meeting by silence procedure following the proposal of the host country and recommendation by the CSO not later than March 1993.

ANNEX I

The Secretary General of the CSCE

1. The Ministers decide to establish the post of Secretary General of the Conference on Security and Co-operation in Europe. The Secretary General will derive his/her authority from the collective decisions of the participating States and will act under the guidance of the Chairman-in-Office.

2. The Secretary General will be appointed by the Council by consensus upon recommendation of the CSO and Chairman-in-Office for a period of three years. This period may be extended for one further term of two years.

3. The Chairman-in-Office will be assisted by an open-ended ad hoc group in preparing his/her recommendation on the appointment to the CSO and Council.

4. The open-ended ad hoc group will assist the Chairman-in-Office in preparing recommendations to the CSO and the Council on the administrative and financial implications of the appointment of a Secretary General, including accommodation, staff requirements and budget.

5. The Ministers agreed on the following mandate for the Secretary General:

MANDATE

(i) The Secretary General will act as the representative of the Chairman-in-Office and will support him/her in all activities aimed at fulfilling the goals of the CSCE. The Secretary General's tasks will also include the management of CSCE structures and operations; working closely with the Chairman-in-Office in the preparation and guidance of CSCE meetings; and ensuring the implementation of the decisions of the CSCE.

(ii) The Secretary General will oversee the work of the CSCE Secretariat, the CPC Secretariat and the ODIHR. The Secretary General will answer for the effective performance of CSCE staff to the Chairman-in-Office, the Council of Ministers and the CSO.

(iii) The Secretary General will assist the Chairman-in-Office in publicizing CSCE policy and practices internationally, including maintaining contacts with international organizations.

(iv) As the CSCE's Chief Administrative Officer, the Secretary General will advise on the financial implications of proposals and ensure economy in the staff and support services of the institutions.

(v) The Secretary General will prepare an annual report to the CSCE Council.

(vi) The Secretary General will perform such other functions as are entrusted to him/her by the Council or the CSO.

ANNEX II

Management of Resources

The Ministers instructed the CSO to draw up rules and procedures covering the following areas:

- Steps to increase the cost-effectiveness of CSCE activities;

- Effective management of funds and property, including funds allocated to particular activities;

- Procedures for timely presentation of budget proposals of CSCE institutions;

- Measures for adequate scrutiny of the financial implications of proposals including procedures for the authorization of expenditure;

- Effective CSCE auditing and ways and means of minimizing arrears in the payment of assessed contributions, bearing in mind the experience of other international organizations.

ANNEX III

Draft letter

Bratislava/Prague, 1 January 1993

Your Excellency,

The Government of the Slovak/Czech Republic hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe and all other documents of the Conference on Security and Co-operation in Europe.

The Government of the Slovak/Czech Republic accepts in their entirety all commitments and responsibilities contained in these documents and declares its determination to act in accordance with their provisions. It will assume, in co-operation with the Czech/Slovak Republic as the other successor State to the Czech and Slovak Federal Republic, all CFE obligations of the Czech and Slovak Federal Republic.

The Government of the Slovak/Czech Republic invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of the CSCE Council. This Mission will report to the CSCE participating States on the fulfilment by the Slovak/Czech Republic of CSCE commitments and provide assistance towards their fullest implementation.

The Government of the Slovak/Czech Republic expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of State or Government of the Slovak/Czech Republic at the earliest convenience.

I kindly ask Your Excellency to circulate copies of this letter to all CSCE participating States.

Please accept, Your Excellency, the assurances of my highest consideration.

Her Excellency
Margaretha af Ugglas
Chairman-in-Office of the
CSCE Council
Minister of Fore n Affairs
Kingdom of Sweden
Stockholm